

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FILED \_\_\_\_\_ ENTERED \_\_\_\_\_  
LOGGED \_\_\_\_\_ RECEIVED \_\_\_\_\_

NOV 08 2019

TRUCK DRIVERS AND HELPERS  
LOCAL UNION NO. 355  
HEALTH & WELFARE FUND,

\*

\*

Plaintiff,

\*

v.

\*

ESTATE OF MARK A.  
DELINSKI, *et al.*

\*

\*

Defendants.

\*

\* \* \* \* \*

**ORDER**

Having considered the Motion for Temporary Restraining Order and/or Preliminary Injunction and for Accelerated Discovery (ECF No. 2) filed by Plaintiff Truck Drivers and Helpers Local Union No. 355 Health & Welfare Fund (the "Health Fund"), and having conducted a hearing concerning the motion, at which counsel for all parties were present, it is this 8th day of November 2019 hereby ORDERED:

1. The Health Fund's Motion for Temporary Restraining Order and/or Preliminary Injunction and for Accelerated Discovery (ECF No. 2) is GRANTED. Specifically:

a. This Court GRANTS a Temporary Restraining Order and Preliminary Injunction requiring a freeze of \$85,000.00<sup>1</sup> held in the Hardwick & Harris

---

<sup>1</sup> This amount corresponds to the approximate amount of settlement funds contained in the Hardwick & Harris Escrow account.

Escrow Account. Additionally, Defendant Hardwick & Harris, LLP shall post a security bond of \$75,000.00<sup>2</sup> by Tuesday, November 12, 2019 at 1:00 p.m.;

- b. Pursuant to Rule 65(c) of the Federal Rules of Civil Procedure, the Health Fund must post a security bond in the amount of \$160,000.00 by Tuesday, November 12, 2019 at 1:00 p.m.;
  - c. The Health Fund is entitled to pursue expedited discovery. Defendant shall produce to the Health Fund all documents specifically identifying the type and location of any assets already paid and/or to be paid by a third party in settlement of the personal injury claim arising from Mr. Delinski's accident on or about July 19, 2014. This production is due by Friday, November 22, 2019;
2. The parties shall contact this Court's Chambers to schedule a permanent injunction hearing;
  3. The parties shall submit a proposed scheduling order;
  4. The parties shall submit a joint status report within 60 days of this Order;
  5. A copy of this Order shall be sent to counsel of record.



Richard D. Bennett  
United States District Judge

---

<sup>2</sup> This amount corresponds to the approximate amount of settlement funds disbursed to satisfy expert and attorney's fees.